

PROPOSED RULEMAKING

DEPARTMENT OF TRANSPORTATION

[67 PA. CODE CH. 47]

Display of Registration Plates

The Department of Transportation (Department), under the authority in 75 Pa.C.S. § 1332 (relating to display of registration plate), proposes to amend §§ 47.2 and 47.4 (relating to location; and validating stickers) to read as set forth in Annex A.

Purpose of this Chapter

The purpose of Chapter 47 (relating to display of registration plates) is to designate the manner in which registration plates are to be displayed on vehicles as prescribed by 75 Pa.C.S. § 1332.

Purpose of the Proposed Rulemaking

The purpose of this proposed rulemaking is to update the location and manner of attachment requirements with respect to persons with disability, disabled veterans and severely disabled veterans registration plates. The proposed amendments establish the required location of a second registration plate, if one is issued. In addition, the act of November 25, 2013 (P. L. 974, No. 89) amended 75 Pa.C.S. § 1332 as follows: "Validating registration stickers shall not be issued or required to be displayed." The amendment will become effective December 31, 2016. Consequently, as of December 31, 2016, § 47.4 will be rendered null and void. An Editor's Note is proposed to be added to that effect.

Summary of Significant Amendments

Section 47.2(c) is proposed to be added to permit the mounting of a second persons with disability, disabled veteran or severely disabled veteran registration plate on the rear of a carrier attached to the rear of a vehicle for the purpose of transporting a wheelchair or similar personal assistive mobility equipment. This second registration plate is intended to be used to ensure visibility of the vehicle registration when the registration plate affixed to the rear of the vehicle is obstructed or obscured by a wheelchair or similar personal assistive mobility equipment mounted on a carrier attached to the rear of the vehicle.

An Editor's Note is proposed to be added to § 47.4 to reflect that as of December 31, 2016, the section will become null and void.

Persons and Entities Affected

This proposed rulemaking will affect vehicle owners who have a person with disability, disabled veteran or severely disabled veteran registration plate who wish to mount a second plate on the rear of a carrier attached to the rear of their vehicles for the purpose of transporting a wheelchair or similar personal assistive mobility equipment.

The elimination of the requirement for the Department to issue and the registrant to display a validating registration sticker will have a positive effect on registrants due to the significant cost savings achieved by the elimination.

Fiscal Impact

The cost to the Commonwealth for proposed § 47.2(c) is estimated to be \$2.73 to mail each double plate configuration to vehicle owners who request them, as well as \$3.60 to produce each double plate configuration and approximately \$37,500 for system updates to record the issuance of these plates. Since it is not known how many vehicle owners will request the plates available under proposed § 47.2(c), a total cost impact cannot be provided. The fiscal impact to vehicle owners is limited to those vehicle owners who choose to apply for the dual plate configuration. These vehicle owners will pay fees as established in 75 Pa.C.S. (relating to Vehicle Code).

By eliminating validation stickers, the Department will annually save approximately \$1 million. Customers will no longer need to apply for replacement validation stickers at a cost of \$7.50 per replacement sticker.

Regulatory Review

Under section 5(a) of the Regulatory Review Act (71 P. S. § 745.5(a)), on April 22, 2014, the Department submitted a copy of this proposed rulemaking and a copy of a Regulatory Analysis Form to the Independent Regulatory Review Commission (IRRC) and to the Chairpersons of the House and Senate Transportation Committees. A copy of this material is available to the public upon request.

Under section 5(g) of the Regulatory Review Act, IRRC may convey any comments, recommendations or objections to the proposed rulemaking within 30 days of the close of the public comment period. The comments, recommendations or objections must specify the regulatory review criteria which have not been met. The Regulatory Review Act specifies detailed procedures for review, prior to final publication of the rulemaking, by the Department, the General Assembly and the Governor of comments, recommendations or objections raised.

Sunset Provisions

The Department is not establishing a sunset date for proposed § 47.2(c) because it is needed to administer provisions required under 75 Pa.C.S. The Department, however, will continue to closely monitor these regulations for their effectiveness. However, by operation of the amendment to 75 Pa.C.S. § 1332, § 47.4 will sunset as of December 31, 2016.

Public Comments

Interested persons are invited to submit written comments, suggestions or objections regarding the proposed rulemaking to Anita Wasko, Director, Bureau of Motor Vehicles, Riverfront Office Center, 1101 South Front Street, Harrisburg, PA 17104 within 30 days of the publication of this proposed rulemaking in the *Pennsylvania Bulletin*.

Contact Person

The contact person for technical questions about the proposed rulemaking is Kristen Singer, Manager, Customer Service Division, Department of Transportation, Bureau of Motor Vehicles, Riverfront Office Center, 1101 South Front Street, Harrisburg, PA 17104, (717) 787-2171.

BARRY J. SCHOCH, PE,
Secretary

Fiscal Note: 18-450. No fiscal impact; (8) recommends adoption.

Annex A
TITLE 67. TRANSPORTATION
PART I. DEPARTMENT OF TRANSPORTATION
Subpart A. VEHICLE CODE PROVISIONS
ARTICLE III. REGISTRATION
CHAPTER 47. DISPLAY OF REGISTRATION
PLATES

§ 47.2. Location.

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(b) *Two plates.* If two registration plates are issued for a single vehicle, one registration plate shall be located on the rear of the vehicle as prescribed in subsection (a), and the other on the front of the vehicle.

(c) *Two plates and an attached carrier.* If two registration plates for a person with disability, a disabled veteran or a severely disabled veteran registration plates are issued for a vehicle which has a carrier attached to the rear for the purposes of transporting a wheelchair or similar personal

assistive device, one plate shall be affixed to the rear of the vehicle as prescribed by subsection (a) and the other shall be affixed to the rear of the carrier instead of affixing the plate to the front of the vehicle.

§ 47.4. Validating stickers.

(Editor's Note. The act of November 25, 2013 (P. L. 974, No. 89) amended 75 Pa.C.S. § 1332 (relating to display of registration plate) as follows: "Validating registration stickers shall not be issued or required to be displayed." The amendment is effective December 31, 2016. As of December 31, 2016, this section is rendered null and void.)

(a) *Issuance.* The Department of Transportation will issue validating stickers upon renewal of a vehicle registration or, if the vehicle registered had a temporary registration, to indicate that registration has been completed and the temporary registration status terminated.

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[Pa.B. Doc. No. 14-918. Filed for public inspection May 2, 2014, 9:00 a.m.]